

SEP 30 2004

48th Floor | 333 South Hope Street | Los Angeles, CA 90071-1448
213-620-1780 office | 213-620-1398 fax | www.sheppardmullin.comFACSIMILE COVER SHEET**** THIS FACSIMILE TRANSMISSION WILL NOT BE MAILED ****Date: September 30, 2004File Number: 07K8-105546Total number of pages:
(including 1-page cover sheet)4If all pages are not received, please call
Sheppard Mullin at 213-620-1780, ext. 2155TO:

U.S. Patent and Trademark Office

Facsimile No.

(703) 872-9306

Telephone No.From: James R. Brueggemann, EsquireDirect Dial: 213-617-4156Re: Notification of a Loss of Entitlement to Small Entity Status...

MESSAGE: Please see attached.

Certificate of Transmission under 37 CFR 1.8I hereby certify that this correspondence is being facsimile transmitted
to the United States Patent and Trademark Office on September 30, 2004.
James R. Brueggemann, Esquire**Notification of a Loss of Entitlement to Small Entity Status...**Applicants: Russell E Evans et al.Title: POLARIZED EYEWEAR USING HIGH IMPACT...Appl. No.: 10/624,925Filed: July 21, 2003Our Docket No.: 07K8-105546Fee: \$395.00 authorized to be charged to Deposit Acct.Client: YoungerDate Faxed: 09/30/04Atty/Sec.: Brueggemann/Kemp

NOTE: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

W02-LA:LJM/70748719.]

PAGE 1/4 * RCVD AT 9/30/2004 8:54:01 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-1/3 * DNIS:8729306 * CSID:213 620 1398 * DURATION (mm-ss):01:34

SEP 30 2004

TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
07K8-105546

In Re Application Of: Russell E. Evans et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/624,925	July 21, 2003	Not yet assigned	30764	2873	6764

Title: **POLARIZED EYEWEAR USING HIGH IMPACT, HIGH-QUALITY POLYMERIC MATERIAL**COMMISSIONER FOR PATENTS:

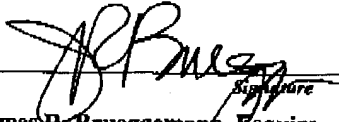
Transmitted herewith is:

Notification of Loss of Entitlement to Small Entity Status and Payment of Resulting Fee Deficiency

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1853 as described below.
- ☒ Charge the amount of \$395.00
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


 James R. Brueggemann, Esquire
 Registration No. 28,286
 Sheppard, Mullin, Richter & Hampton LLP
 333 South Hope Street, 48th Floor
 Los Angeles, California 90071
 (213) 620-1780

Dated: September 30, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] o.
 (Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

P18A/REV03

SEP 30 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	10/624,925	Confirmation No. 6764
Applicants	:	Russell E. Evans et al.	
Filing Date	:	July 21, 2003	
TC / A.U.	:	2873	
Examiner	:	Not yet assigned	
Docket No.	:	07K8-105546	
Customer No.	:	30764	

September 30, 2004

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS AND
PAYMENT OF RESULTING FEE DEFICIENCY

Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Younger Mfg. Co., the assignee in the above-identified patent application, determined that its status has changed from a small entity to a large entity, as of January, 2000. Assignee, therefore, requests removal of the small entity status for the above-identified patent application, pursuant to 37 C.F.R. § 1.27(g)(2) and M.P.E.P. § 509.03.


The fees identified below, which were made in good faith and without deceptive intent, were deficient because of the error in claiming small entity status at the time of payment. In accordance with 37 C.F.R. § 1.28(c) and M.P.E.P. § 509.03, Assignee itemizes and calculates the deficiency owed, as indicated below. Please charge the amount of \$395.00, and charge any additional fees and credit any overpayments, to Deposit Account No. 19-1853.

Item Paid	Date Due	Small Entity Fee Paid	Current Fee Amount (September 30, 2004)	Amount Owed
Filing fee	July 21, 2003	\$ 375.00	\$ 770.00	\$ 395.00
Total Deficiency Payment				\$ 395.00

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By:


James R. Brueggemann
Registration No. 28,286

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